

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

JOINT APPROP SUBCOMMITTEE ON CORRECTIONS AND PUBLIC SAFETY

Call to Order: By **CHAIRMAN STEVE VICK**, on **January 8, 1999** at
8:05 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Rep. Steve Vick, Chairman (R)
Sen. Arnie Mohl, Vice Chairman (R)
Sen. Chris Christiaens (D)
Rep. Stan Fisher (R)
Sen. Dale Mahlum (R)
Sen. Debbie Shea (D)

Members Excused: Rep. Red Menahan (D)

Members Absent: None.

Staff Present: Skip Culver, Legislative Branch
Mary LaFond, OBPP
Shirley Moore, OBPP
Linsey Mortensen, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: Supplemental request for the
Department of Labor
Department of Justice
- Legal Services Division
- Transportation of Prisoners
Executive Action: Crime Control

EXECUTIVE ACTION ON CRIME CONTROL DIVISION

Motion/Vote: **Sen. Christiaens** moved that the base and statewide adjustments be adopted. Motion **carried** unanimously.

Representative Menahan voted by proxy

EXHIBIT(jih05a01)

Committee questions answered

{Tape : 2; Side : A; Approx. Time Counter : 9.3 - 30.2}

{Tape : 2; Side : B; Approx. Time Counter : 2.3 - 20.5}

Adjust Objects of Expenditure(DP 1111)

Statistical Analysis Center Grant (DP 1119)

Motion/Vote: **Sen. Mohl** moved that present law adjustments on pg D-3, 1111 and 1119 be adopted. Motion **carried** unanimously.

{Tape : 1; Side : B; Approx. Time Counter : 20.9 - 21.5}

Regional Juvenile Detention (DP 1122)

Motion: **Sen. Shea** moved that DP 1122 be adopted.

Discussion: **Wayne Budt** discussed exhibit 1 on the average number of youth and total length of stay.

Substitute Motion: **Sen. Christiaens** made a substitute motion that on DP 1122 plus 500,000 each year be adopted.

Vote: Motion **failed 3-4** with **Christiaens, Menahan, and Shea** voting **aye**. *Menahan voted by proxy*

Vote on original motion: Motion **carried** unanimously. *Menahan vote by proxy*

{Tape : 1; Side : B; Approx. Time Counter : 21.5 - 30.3}

(Tape : 2; Side : A; Approx. Time Counter : 0 - 27.5)

Residential Substance Abuse Treatment (DP 1137)

Juvenile Justice Block Grant (DP 1138)

Crime Victim Assistance (DP 1139)

Crime Victims Compensation (DP 1141)

Motion/Vote: **Sen. Mohl** moved that DP 1137-1141 be adopted. Motion **carried** unanimously.

Juvenile Accountability Incentive B (DP 2133)

Motion: **Sen. Christiaens** moved that DP 2133 be adopted.

Discussion: **Gene Kiser** answers committee questions.

Vote: Motion carried unanimously.

{Tape : 2; Side : B; Approx. Time Counter : 0.0 - 6.2}

State Identification System (DP 2134)

Motion/Vote: Sen. Christiaens moved that DP 2134 be adopted.

Motion carried unanimously.

Tape : 2; Side : A; Approx. Time Counter : 6.2 - 6.7}

National Sex Offenders Registry (DP 2135)

Motion/Vote: Sen. Mahlum moved that DP 2135 be adopted. Motion carried unanimously.

Law Enforcement Technical Assistance (DP 2136)

Motion: Sen. Christiaens moved that DP 2136 be adopted.

Discussion: Questions answered by Gene Kiser.

Vote: Motion carried unanimously.

Chairman Vick commented that the budget amendments would be discussed at a different time.

Motion/Vote: Sen. Christiaens moved to close the Crime Control division. Motion carried unanimously.

Tape : 2; Side : A; Approx. Time Counter : 6.7 - 12}

HEARING ON SUPPLEMENTAL REQUEST FOR THE DEPARTMENT OF LABOR

Informational Testimony: Pat Haffey, commissioner for the Department of Labor, talks about SB 350 which moved the management of the Human Rights program from the Human Rights Commission to the Department of Labor, and changed the procedures of investigations. The Department would challenge the people of Housing for Urban Development.

EXHIBIT(jih05a02)

Jerry Keck, acting administrator at the employment relations division of the Department of Labor, talked about their efficiencies and their needs for funding. Loss of federal funding has created a lack of funds. Jerry states that with loss of federal money also came three vacant positions and no mandates being met. (pg 2 of Exhibit 2)

He asked to please support a supplemental for the Dept. of Labor. If supplemental is not approved they will have to lay-off the employees and dissolve the program until July 1.

PROPONENT TESTIMONY: **Senator McNutt**, Senate District 50, chief sponsor of SB 350, Margaret Morgan representing the MT association of Realtors, **Chris Gallus**, MT Chamber of Commerce, **Senator Mohl**, Senate District 35.

{Tape : 2; Side : A; Approx. Time Counter : 12.2 - 30.3}

{Tape : 2; Side : B; Approx. Time Counter : 2.4 - 10.1}

Questions from Committee Members and Responses:

Chairman Vick asked if some people are subject to triple inspections from HUD and MT Fair Housing Inc.

Margaret Morgan replied that MT Fair Housing is funded through federal grants. She states with the loss of substantial equivalency there may be dual inspections.

{Tape : 2; Side : B; Approx. Time Counter : 10.2 - 14.5}

{Tape : 2; Side : B; Approx. Time Counter : 14.5 - 15.7; Comments : by Jerry Keck and Chris Gallus}

Senator Menahan asked what kind of inspections go on. **Margaret Morgan** replied that each company has there own criteria for inspections.

{Tape : 2; Side : B; Approx. Time Counter : 21 - 22.5; Comments : Senator Mahlum and Margaret Morgan discussed HUD compliance}

Vote will be made on supplemental in full appropriations committee.

DEPARTMENT OF JUSTICE

Attorney General **Joseph Mazurek** gave an overview of the Department of Justice divisions and budget requests.

EXHIBIT(jih05a03)

{Tape : 3; Side : A; Approx. Time Counter : 2.4 - 30.1}

{Tape : 3; Side : B; Approx. Time Counter : 2.5 - 12}

{Tape : 3; Side : B; Approx. Time Counter : 12.5 - 21.8; Comments : Discussion about federal funds, FTE, and leases}

HEARING ON LEGAL SERVICES DIVISION

INFORMATIONAL TESTIMONY: **Beth Baker**, Administrator of Legal Services gave information on the different bureaus and what each one does. **EXHIBIT(jih05a04)**

Beth Baker also commented on the vacancy savings issue and urged you to look very closely at DP 20111(funding for more attorneys to assist the County attorneys). She stated that it would be one of the most important decisions of the committee.

Showing of *Intermountain Children's Home* video

{Tape : 3; Side : B; Approx. Time Counter : 21.8 - 27.7}

{Tape : 4; Side : A; Approx. Time Counter : 0 - 20.4}

EXHIBIT(jih05a05) **EXHIBIT(jih05a07)** **EXHIBIT(jih05a09)**

EXHIBIT(jih05a06) **EXHIBIT(jih05a08)**

Proponent Testimony: **Tom Scott** county attorney for Beaverhead County. **Chuck Hunter**, representing Department of Human Services and the administration for family and child services. **Colleen Murphy** representing executive director of the MT branch of the Association of Social Workers.

Representative Fisher asked why it takes so long to get a case through court. **Tom Scott** replied that we have an over loaded legal system.

{Tape : 4; Side : A; Approx. Time Counter : 20.4 - 27.9}

{Tape : 4; Side : B; Approx. Time Counter : 2.5 - 9.4}

HEARING ON EXTRADITION AND TRANSPORTATION OF PRISONERS

Jandee May, administrator of Central Services division, explained the funding for extradition and transportation. She also made some reference to the shuttle system(MPTS) implemented by the Governor. Extraditions must all be approved before hand.

Proponent Testimony: **Detective Fuchs**, warrant officer and extradition officer in Missoula. **Allyson Shackleford**, coordinator for the Montana Prisoner Transportation System(MPTS). **Carol Smith**, extradition officer in the Governor's office. **Kathy McGowan** representing MT sheriff's and peace officers association. **EXHIBIT(jih05a10)**

{Tape : 4; Side : B; Approx. Time Counter : 9.4 - 30.2}

{Tape : 5; Side : A; Approx. Time Counter : 0 - 0.5}

Questions by Committee Members: **Senator Christiaens** asked if the Department of Corrections was using the shuttle system. The reply was that they believed that it wasn't.

Chairman Vick asked why should there be a full time extradition position. **Carol Smith** stated that since she has worked with it

on a daily basis she believed that a full time position was needed.

{Tape : 5; Side : A; Approx. Time Counter : 0.5 - 3}

ADJOURNMENT

Adjournment: 12:00 P.M.

REP. STEVE VICK, Chairman

LINSEY MORTENSEN, Secretary

SV/LM MINUTES

***EXHIBIT*(jih05aad)**